

REMARKS/ARGUMENTS

Reference to Telephone Interview:

The applicant would like to thank the Examiner for the courtesy extended to his undersigned representative during their telephone interview of April 28, 2006. During the interview, the objections to the drawings were discussed, but no agreement was reached.

Status of Claims:

Claims 1-4, 8-25, 29, 30 and 37 are pending herein, claims 1, 9, 11, 18, 19 and 25 being independent. By the amendment above, claim 19 has been amended. It is believed that this amendment is cosmetic only, and does not alter the scope of the claims. Claims 1-4, 8-18, 25, 29 and 30 have been canceled, leaving claims 19-24 and 37 remaining in the case. Additionally, paragraphs [0008] and [0014] of the specification have been amended to correct errors therein noted by the Examiner.

Objections to the Drawing:

In the pending Office Action, the Examiner objected to the drawings under 37 C.F.R. §1.83(a), as allegedly failing to show every feature of the claimed invention. The applicant respectfully disagrees with the Examiner that any feature of the claimed invention is missing from the drawings, and so traverses this objection and requests that it be withdrawn.

The following elements are those to which the Examiner referred:

1. “First and second sleeve” recited in claim 19: The Examiner has objected to the drawings because the first and second sleeve recited in claim 19 are allegedly not shown. It is

respectfully submitted that Figure 1 clearly shows first inner sleeve 28 and second outer sleeve 34, each of which are described in the specification in paragraph [0013]. Thus, these features of the claimed invention are shown in the drawings, as required by 37 C.F.R. § 1.83(a). It is noted that the rules do not require that a single figure show every element of a claim. As is the case here, it is respectfully submitted that all features of the claims are shown in the drawings, and so this objection should be withdrawn.

2. “Resilient elastomer” recited in claim 21: The specification, paragraph [0025], describes resilient member 110 as either a resilient elastomer or a spring. Figure 6 depicts element 110 as a spring, but Rule 83(a) (37 C.F.R. § 1.83(a)) directs that such conventional features “should be illustrated in the drawing in the form of a graphical drawing symbol. . .” It is respectfully submitted that the substitution of a resilient elastomer for a spring is conventional, and is also *expressly* described in the specification, and so one of ordinary skill in the art would appreciate that the depiction of resilient member 110 as a spring is simply a graphical and easily understood representation of *any* form of resilient member. Thus, it is respectfully submitted that a further drawing showing resilient member 110 as a resilient elastomer would be an unnecessary addition to the drawings, and would be an unnecessary complication of the specification, adding nothing to the understanding of those of ordinary skill in the art regarding the practice of the invention. Withdrawal of this objection is therefore respectfully solicited.

3. “Plurality of alignment pieces” recited in claim 24: The specification describes element 116 as an alignment piece [0025], and that differently sized alignment pieces may be used for differently sized drill bits (*Id.*). Alignment piece 116 is shown in Figure 6. It is respectfully submitted that a further drawing simply showing a *plurality* of differently sized alignment pieces

also would not add to the understanding of the invention, and is not required by Rule 83(a). Withdrawal of this objection is therefore respectfully solicited.

4. “Countersink bore” in claim 37: The “countersink bore” is not a feature claimed in claim 37, but is merely context for the claimed invention, which is shown in the drawings. Thus, the drawings are not required to show the countersink bore. 37 C.F.R. § 1.83(a).

Thus, all of the features of the claimed invention are present in the drawings, as required by 37 C.F.R. § 1.83(a), and so no amendment thereof is believed to be required. Accordingly, withdrawal of the objection to the drawings is respectfully solicited.

Objections to the Specification:

The Examiner then objected to the specification for having two typographical errors therein. By the amendment above, paragraphs [0008] and [0014] have been amended to correct the errors noted by the Examiner. Withdrawal of this objection is therefore solicited.

Objection to the Claims:

The Examiner objected to claim 19, requesting a change in the wording thereof to amend “and” to “or” in the phrase “a shoulder, mounted on one of said second sleeve ~~and~~ or said centering member, for limiting a depth of penetration of said drill bit into said surface.” By the amendment above, this change has been made. It is believed that this amendment is cosmetic only, and does not affect the scope of the claims.

Withdrawal of this objection is also solicited.

Rejection under 35 U.S.C. § 112 (¶1):

The Examiner rejected claims 19-24 and 37 under 35 U.S.C. § 112 (¶ 1) for allegedly failing to comply with the enablement requirement. The Examiner took the position that the specification fails to enable the practice of the invention of claim 19, in that the embodiment illustrated in Figure 6 fails to show the use of two sleeves. It is noted, however, that Figure 1 shows the use of two sleeves 28, 34 and that the specification [00028] specifically states that:

[I]t should be recognized that structures and/or elements shown and/or described in connection with any disclosed form or embodiment of the invention may be incorporated in any other disclosed or described or suggested form or embodiment as a general matter of design choice.

Thus, the specification does inform one of ordinary skill in the art that features of one embodiment may be incorporated into another embodiment as a matter of “design choice”. One of ordinary skill in the art would therefore appreciate that the combination of the two sleeves shown in Figure 1 and the centering member illustrated in Figure 6 may be made without any experimentation, and so the combination of these features is enabled within the meaning of 35 U.S.C. § 112 (¶1).

Withdrawal of this rejection is therefore respectfully solicited.

Rejections under 35 U.S.C. § 103(a) and (b):

The Examiner rejected claims 1-4, 8-18, 25, 29 and 30 under 35 U.S.C. § 103(a) as obvious over various combinations of references. These claims have been canceled, and so the rejections are now moot. Withdrawal thereof is accordingly respectfully requested.

Allowable Subject Matter:

The Examiner indicated that claims 19-24 and 37 would be allowable if rewritten or amended to overcome the objections and rejections presented in the Office Action. It is respectfully submitted that all objections and rejections have been satisfied, and so claims 19-24 and 37 should be allowable. Early and favorable action on remaining claims 19-24 and 37 is therefore respectfully solicited.

It is believed that no further fees or charges are required at this time in connection with the present application. However, if any fees or charges are required at this time, they may be charged to our Patent and Trademark Office Deposit Account No. 03-2412.

Respectfully submitted,

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